



PATENT  
450100-03064

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Shigeho Ogawa, et al.  
For : INFORMATION PLAYBACK APPARATUS, METHOD AND  
RECORDING MEDIUM (AS AMENDED)  
Serial No. : 09/808,492  
Filing Date : March 14, 2001  
Examining Attorney : Son, Linh L.D.  
Art Unit : 2135  
Confirmation No. : 3619

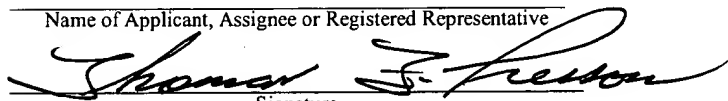
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Thomas F. Presson, Reg. No. 41,442

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Name of Applicant, Assignee or Registered Representative

  
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Signature

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May 12, 2006

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Date of Signature

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Mail Stop Appeal Brief-Patents  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-145114

Sir:

Applicants request review of the Final Rejection dated January 12, 2006 in the above-captioned application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. Please consider the reasons stated herein.

## **REASONS FOR REQUEST**

Claims 1 and 3-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,760,915 to deCarmo (hereinafter, merely “deCarmo”) in view of U.S. Patent No. 5,621,456 to Florin et al. (hereinafter, merely “Florin”).

Specifically, independent claim 1 recites, *inter alia*:

“An information playback apparatus...

wherein the increased values of the identification information are written over the original values of the identification information in the storage control step, and wherein, if a maximum of identification information is achieved, new identification information is written over an oldest identification information or the new identification information is written over a user-selected replaceable identification information.” (emphasis added)

It is respectfully submitted that the applied combination of deCarmo and Florin does not teach the above-recited features of independent claim 1. Specifically, the Office Action concedes that “[h]owever, deCarmo does not disclose ‘wherein the increased values of the identification information are written over the original values of the identification information in the storage control step, and wherein, if a maximum of identification information is achieved, new identification information is written over an oldest identification information or the new identification information is written over a user-selected replaceable identification information’”. (See Office Action page 4) Applicants respectfully disagree with the assertion that Florin provides the disclosure missing from deCarmo.

The Office Action cites Column 21, lines 1-15 of Florin, which recites “...user is able to view the pix display by category... only marked programs would be displayed on the pix display 381, allowing users to easily add or delete programs in the pix display...”

Applicants submit that deCarmo and Florin, taken alone or in combination, fail to teach or suggest the features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of an information playback apparatus wherein the increased values of the identification information are written over the original values of the identification information in the storage control step, and, if a maximum of identification information is achieved, new identification information is written over an oldest identification information or the new identification information is written over a user-selected replaceable identification information, as recited in claim 1.

Applicants, therefore, respectfully submit that independent claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 4, 5 and 6 are also believed to be patentable.

Claims 8-11 and 13-16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,385,388 to Lewis et al. (hereinafter, "Lewis") in view of Florin.

Claim 8 recites, *inter alia*:

"A method for controlling playback...

wherein the increased value of said permission condition is written over the original value of the permission condition in storage, and

wherein, if a maximum of the recording medium identification information is achieved, new recording medium identification information is written over an oldest recording medium identification information or the new recording medium identification information is written over a user-selected replaceable recording medium identification information." (emphasis added)

It is respectfully submitted that the applied combination of Lewis and Florin does not teach the above-recited features of independent claim 8. Specifically, the Office Action

concedes that “[h]owever, Lewis does not disclose ‘wherein the increased value of said permission condition is written over the original value of the permission condition in storage, and wherein, if a maximum of the recording medium identification information is achieved, new recording medium identification information is written over an oldest recording medium identification information or the new recording medium identification information is written over a user-selected replaceable recording medium identification information’”. (See Office Action page 6) Applicants respectfully disagree with the assertion that Florin provides the disclosure missing from Lewis.

The Office Action cites Column 21, lines 1-15 of Florin, which recites “...user is able to view the pix display by category... only marked programs would be displayed on the pix display 381, allowing users to easily add or delete programs in the pix display...”

Applicants submit that Lewis and Florin, taken alone or in combination, fail to teach or suggest the features of claim 8. Specifically, Applicants submit that there is no teaching or suggestion of a method for controlling playback wherein the increased value of said permission condition is written over the original value of the permission condition in storage, and wherein, if a maximum of the recording medium identification information is achieved, new recording medium identification information is written over an oldest recording medium identification information or the new recording medium identification information is written over a user-selected replaceable recording medium identification information, as recited in claim 8.

Applicants, therefore, respectfully submit that independent claim 8 is patentable.

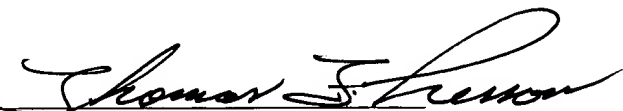
For reasons similar to those described above with regard to independent claim 8, independent claim 13 is also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 4, 5, 6, 8 and 13 are patentable.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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